

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF VENTURA
VENTURA DIVISION**

TENTATIVE RULINGS

EVENT DATE: 10/27/2016
JUDICIAL OFFICER: Kevin DeNoce

EVENT TIME: 08:20:00 AM

DEPT.: 43

CASE NUM: 56-2014-00460814-CU-PA-VTA
CASE TITLE: PEREZ RULFO VS. BLOIS

CASE CATEGORY: Civil - Unlimited

CASE TYPE: PI/PD/WD - Auto

EVENT TYPE: Motion to Compel - Special Rgs Set 1
CAUSAL DOCUMENT/DATE FILED:

The morning calendar in courtroom 43 will begin at 9 a.m. Cases including *ex parte* matters will not be called prior to 9 a.m. Please check in with the courtroom clerk by no later than 8:45 a.m. If appearing by CourtCall, please call in between 8:35 and 8:45 a.m.

With respect to the below scheduled tentative ruling, no notice of intent to appear is required. If you wish to submit on the tentative decision, you can send an email to the court at: Courtroom43@ventura.courts.ca.gov or send a telefax to Judge DeNoce's secretary, Hellmi McIntyre at 805-477-5894, stating that you submit on the tentative. Do not call in lieu of sending an email or telefax. If you submit on the tentative without appearing and the opposing party appears, the hearing will be conducted in your absence. This case has been assigned to Judge DeNoce for all purposes.

Absent waiver of notice and in the event an order is not signed at the hearing, the prevailing party shall prepare a proposed order and comply with CRC 3.1312 subdivisions (a), (b), (d) and (e). The signed order shall be served on all parties and a proof of service filed with the court. A "notice of ruling" in lieu of this procedure is not authorized.

For general information regarding Judge DeNoce's rules and procedures for law and motion matters, *ex parte* matters, telephonic appearances, trial rules and procedures, etc., please visit: <http://www.ventura.courts.ca.gov/Courtroom/C43>

The court's tentative ruling is as follows:

Grant Defendant's motion to compel further response to the request for documents. It appears that P has not complied with CCP section 2031.220 by including the proper language. It is also not clear to the Court that all documents were produced.

As to sanctions, a reasonable and good faith attempt at informal resolution requires that the parties present the merits of their respective positions with candor, specificity, and support. (See *Townsend v. Super. Ct.* (1998) 61 Cal.App.4th 1431, 1435, 1439.) The Court is not persuaded that a good faith effort was made to resolve this matter. It appears that the Sept 6th fax did not go through. The fax result seems to show that only one page went through. P sent a letter by fax and email on Sept 28th noting that the Sept 6th fax was not received and indicating he needed a week to respond to the 11 page letter from Ds atty. Ps atty offered to meet with Ds atty to resolve the issues. D filed the motion on Oct 4th. The Court declines to impose sanctions.